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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of:

Inventor: John J. Wille

Attorney Docket No: 1194-011D

Serial No.: 09/694,394

Customer Service Center/Initial
Patent Examination Division

Filing Date: October 23, 2000

Group Art Unit: 1636

Title: PROTEIN-FREE DEFINED MEDIA
FOR THE GROWTH OF NORMAL
HUMAN KERATINOCYTES

Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8 (A)

Date of Deposit:

Feb. 12, 2001

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231.

Jody K. Prince

**PETITION RESPONSIVE TO NOTICE OF OMITTED ITEM(S) IN A
NONPROVISIONAL APPLICATION FILED UNDER 37 CFR 1.53(b)**

Sir:

Responsive to the Notice of Omitted Item(s) mailed January 2, 2001, the following items are attached as evidence that Fig. 4A was submitted with the original application at the time of filing:

A copy of Fig. 4A from Applicants photocopy made in this office of the application exactly as it was submitted to the PTO on October 23, 2000;

A copy of the patent application transmittal indicating 11 sheets of drawings; and

A copy of the return-receipt post card acknowledging receipt of 11 sheets of formal photomicrographs.

Applicant respectfully submits that at the time of receipt of the application in the PTO Mail Room, Fig. 4A was attached as acknowledged by the PTO stamp on the Post card indicating 11 sheets of formal photomicrographs.

Further evidencing the submission, Fig. 4A is discussed in the specification at the following locations:

Brief Description of the Drawings at page 17, first paragraph; and

Detailed Description of the Invention, Example 4, at page 29, lines 1-5.

In order to advance prosecution, a newly-prepared Fig. 4A consisting of a mounted photomicrograph is attached for the record.

The return copy of the Notice of Omitted Item(s) is attached together with the \$130.00 petition fee.

Applicant respectfully submits that the burden of proof of submission of Fig. 4A at the time of the application's filing has been met and, therefore, respectfully requests that the \$130.00 petition fee be refunded to Deposit Account No. 19-4076. A duplicate of this Petition is attached for such purpose.

Respectfully submitted,

Dated: 1/26/01

By: Cheryl S. Scotney

Cheryl S. Scotney, Reg. No. 46,218
Attorney for Applicant
Standley & Gilcrest LLP
495 Metro Place South, Suite 210
Dublin, Ohio 43017-5319
Telephone: (614) 792-5555
Facsimile: (614) 792-5536